

## **REMARKS**

The present filing is responsive to the Office Action.

### **Claim Rejections Under 35 USC 112, First and Second Paragraphs**

Concerning the recited limitations, support is found throughout the specification, for example, at the following locations: p. 15, lines 5-11; p. 16, lines 11+; p. 18, lines 18+; p. 24, lines 5+ and p. 25, line 5+.

Applicant notes that the claims with negative limitations are not intended to claim the invention by excluding what the inventors did not invent. The claims merely define a scope in which certain elements are specifically excluded from the claimed systems. The claims are directed to a system in which certain elements are specifically excluded, which is part of the novel feature of the invention. The present invention provides an enabling solution of a system without the excluded elements. Whether or not the inventor invented the excluded elements is not relevant to examination, since examination of the claims should be based on what has been claimed instead of what has not been claimed.

Given the traversal of the 112 rejections, the negative limitations in the claims should therefore be considered for substantive examination of the claims.

### **Prior Art Rejections**

The Examiner did not set forth specific prior art rejections in the present action, but incorporated the same rejections in the earlier action, which was directed to previously presented claims prior to amending to include the negative limitations. Given the traversal of the 112

rejections, the negative limitations should be included for substantive consideration. Should the Examiner maintain prior art rejections of the claims, the Examiner should set forth basis of the rejections directed to the negative limitations.

In the present response, Applicant amended the claims throughout to address the Examiner's concerns raised in earlier discussions Applicant had with the Examiner. Applicant believes that the claims as amended, including consideration of the negative limitations, should be patentable over the prior art of record, for at least the same reasons set forth in Applicant's response to the earlier action.

Referring to the prior art rejections set forth in the preceding action, Applicant respectfully submits that there is no teaching, suggestion, motivation or any apparent reason to combine Bae, Thompson and Applet Security FAQ, and further even if the references are combined in the manner proposed by the Examiner, such combination does not rendered obvious the independent claims 1, 2, 7, 9 and 20 as amended. The audio and video channels are separate channels, which are not both handled by the remote hosting site (or remote hosting server or intermediate audio site). None of the cited references teach the handling of audio and video contents via separate channels, in the context as claimed in the present application.

Further, the claimed invention requires a first graphical user interface for accessing video content and a second graphical user interface for accessing audio content. For example, in independent claim 1 as amended, the first and second graphical user interfaces are concurrently accessible by the remote recipient to access the audio and video content. In independent claims 7 and 9 as amended, the first and second graphical user interfaces are integrated in a single graphical user interface that can be used to access audio and video content. Applicant notes that the recited single graphical user interface should not be construed to exclude the scenario in

which the first and second graphical user interfaces are present in and/or implemented by separate physical hardware and/or software. None of the cited references teach the use of separate graphical user interfaces to access audio and video content separately.

All the dependent claims are therefore not rendered obvious by the combination of references for at least the same reason. In addition, the dependent claims add further limitations that would further distinguish from and/or would not be rendered obvious by the combination of references, even if combined.

## **CONCLUSION**

In view of all the foregoing, Applicant submits that the claims pending in this application are patentable over the references of record and are in condition for allowance. Such action at an early date is earnestly solicited. **The Examiner is invited to call the undersigned representative to discuss any outstanding issues that may not have been adequately addressed in this response.**

The Assistant Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. §§ 1.16 and 1.17 that may be required by this transmittal and associated documents, or to credit any overpayment to **Deposit Account No. 501288** referencing the attorney docket number of this application.

Respectfully submitted,

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